

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH CAVETT,)
) CASE NO. C10-1302-JCC
Plaintiff,)
)
v.)
) REPORT AND RECOMMENDATION
MICHAEL ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
_____)

Plaintiff Kenneth Cavett brought this action to seek judicial review of the denial of his application for Disability Insurance Benefits and Supplemental Security Income by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 20.)

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that, on remand, the Administrative Law Judge (ALJ) will: 1) issue a de novo decision, and that aspects of the ALJ's prior decision not specifically addressed here are not

01 specifically affirmed, 2) further evaluate plaintiff's subjective complaints, 3) Further evaluate
02 the lay witness statement in accordance with Social Security Ruling 06-3p, 4) Give further
03 consideration to plaintiff's residual functional capacity, 5) Obtain supplemental evidence from
04 a vocational expert concerning the effect of the claimant's limitations on his occupational base
05 and concerning whether the testimony is consistent with the information in the Dictionary of
06 Occupational Titles in accordance with Social Security Ruling 00-4p, 6) Re-evaluated
07 disability at step 5 of the sequential evaluation process, and 7) Allow plaintiff to submit
08 additional evidence and arguments to the ALJ on remand.

09 Given the above, the Court recommends that United States Chief District Judge John C.
10 Coughenour immediately approve this Report and Recommendation and order the case
11 REVERSED and REMANDED for further administrative proceedings. A proposed order
12 accompanies this Report and Recommendation.

13 DATED this 25th day of February, 2011.

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16 Mary Alice Theiler
17 United States Magistrate Judge
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